

Assembly Bill No. 868

CHAPTER 398

An act to add Article 19 (commencing with Section 13630) to Chapter 14 of Division 5 of the Business and Professions Code, relating to gasoline dispensing.

[Approved by Governor October 10, 2007. Filed with
Secretary of State October 10, 2007.]

LEGISLATIVE COUNSEL'S DIGEST

AB 868, Davis. Gasoline dispensing: weights and measures.

Existing law regulates gasoline temperature and measurement for purposes of dispensing fuel at retail facilities.

This bill would require the California Energy Commission, in partnership with the Department of Food and Agriculture and the State Air Resources Board, to conduct a cost-benefit analysis and survey, as specified, and to make recommendations to the Legislature regarding future legislation and regulations, regarding the reference temperature for fuel dispensation, as specified, not later than December 31, 2008.

The people of the State of California do enact as follows:

SECTION 1. Article 19 (commencing with Section 13630) is added to Chapter 14 of Division 5 of the Business and Professions Code, to read:

Article 19. Fuel Delivery Temperature Study

13630. (a) The California Energy Commission in partnership with the Department of Food and Agriculture and the State Air Resources Board shall conduct a comprehensive survey and cost-benefit analysis, as follows:

(1) The department shall conduct a survey on the effect of temperatures on fuel deliveries. The survey shall be conducted during routine dispenser inspections by determining the accuracy of fuel delivery, and recording fuel temperature, air temperature, and storage tank temperature at fuel stations and other fuel facilities subject to inspection. It is the intent of the Legislature that the department use data collected by the survey that the department started on April 1, 2007, and will complete on March 31, 2008.

(2) The department shall transmit the results of the survey to the California Energy Commission, which shall conduct a cost-benefit analysis and comparison of various options relative to temperature-corrected gallonage temperatures for the following:

(A) Retaining the current reference temperature of 60 degrees Fahrenheit.

- (B) Establishing a different statewide reference temperature.
- (C) Establishing different regional reference temperatures for the state.
- (D) Requiring the installation of temperature correction or compensation

equipment at the pump.

(b) The commission shall evaluate how different reference temperatures or temperature correction devices apply to alternative fuels and low-carbon fuel standards.

(c) The California Energy Commission shall convene an advisory group no later than January 25, 2008, including, but not limited to, equipment manufacturers, consumer groups, fuel industry representatives, agricultural commissioners, appropriate government agencies, and other interested parties to provide guidance on the study pursuant to this section and provide guidance on the analysis and recommendations.

(d) The California Energy Commission, in partnership with the Department of Food and Agriculture and the State Air Resources Board, shall conduct public hearings on the results of the cost-benefit analysis and report to the Legislature regarding recommended legislation and regulations based on the results of the study not later than December 31, 2008.